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HONDURAS

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I. LAND AND PEOPLE

A. Country profile

1. Honduras has a total area of 112,492 sq. km. and is located in the centre of the Central American isthmus; it is bounded by the Republic of Guatemala, El Salvador and Nicaragua, to the north by the Atlantic Ocean and the Caribbean Sea and to the south by the Pacific Ocean.

2. It is the second largest country in Central America; 63 per cent of its area is mountainous and 37 per cent consists of relatively open valleys and lowlands. The climate is hot and humid, especially along the coastlines, where the average temperature is 31 °C, and where, at an altitude of 300 and 600 metres, the climate is temperate and temperatures average 29.5 °C.

3. Honduras is in an exceptionally good geographical location, with coasts on the Atlantic and Pacific Oceans thereby providing it with excellent communications with the rest of the world. Its sea ports are Puerto Cortés, Tela, La Ceiba, Trujillo and Castilla in the northern part of the country and San Lorenzo, Amapala and Henecán in the south. Air transport facilities consist of Toncontín airport in Tegucigalpa, Ramón Villeda Morales Airport in San Pedro Sula, Golosón Airport in La Ceiba, Roatán Airport in Islas de la Bahía and Palmerola Airport in Comayagua. Other, smaller airports are available for internal or local flights. With regard to land transport, the country has a first-class road network, consisting of the northern highway, Atlantic coast highway, western highway, north-eastern highway, eastern highway and the southern "Panamericana" highway, which connects Honduras with El Salvador and Nicaragua.

Soil and climate

4. Sixty-six per cent of its territory is afforested, 25 per cent is suitable for agricultural and stock-raising activities and 9 per cent consists of marshes and mangrove swamps. Honduras' subtropical climate, which varies between humid and dry, explains its wide variety of land and water flora and fauna, which have aroused the interest of researchers and scientists working on the production of medicines, new foodstuffs and energy and industrial raw materials.

Principal ecosystems

5. Maritime influences and its rugged topography and variable soil types have given rise to a wide range of ecosystems. Owing to the heavy rainfall from the direction of the Caribbean experienced by the north-eastern region, the hot and humid Atlantic basin receives 1,750 to 2,000 mm of precipitation per year, producing humid and very humid conditions along the slopes bordering the Atlantic, which account for more than 75 per cent of the land area. The dominant vegetation in the Atlantic area consists of broad-leaved trees, except in areas where fires, soil conditions or man-made changes are more conducive to pine forests. The protected coastal lagoons and bays are lined with mangrove swamps, which are influenced by the tide inland from the main

rivers flowing into the sea. The coral barrier reefs surrounding the Islas de la Bahía and other remote Caribbean islets are some of the best in this hemisphere.

6. The following distinct communities can be identified and described by applying the 1968 Monroe classification to the natural habitats present in Honduras:

Tropical rain forest or lowlands;

Dry or deciduous tropical forest (monsoon forest);

Cloud forest (rain or mountain);

Combinations of ocote pine and oak pine;

Lowland pine savannahs;

Coastal and coral reef ecosystems.

Fauna and flora

7. Honduras has a national system of protected areas which now comprise approximately 50 national parks, biosphere reserves and other categories of reserves and sanctuaries, all of which have been established by law. They contain various species of wildlife (birds, reptiles and amphibians and mammals).

B. Population

1. Demographic features

8. It is estimated that Honduras will have a population of 5.6 million in 1996, which represents an annual growth rate of 2.8 per cent. It is expected to reach 6 million by the year 2000, when population density will be 50.2 persons per sq. km.

9. The population structure disaggregated by sex, is about evenly divided between men and women, who account for 50.4 per cent and 49.6 per cent of the total respectively. The greater proportion of men in rural areas (51 per cent) and of women in urban areas (52 per cent), reveals a greater tendency on the rest of women to leave rural areas for the country's urban centres. Women account for 25 per cent of the total urban population in the 25-44 age group, as against only 17 per cent for men. In rural areas men in the 15-44 age group account for 19 per cent of the population and women for 18 per cent. Women living in rural areas are beginning to migrate from the age of 15, presumably in search of jobs.

10. The main feature of the Honduran population is its youth, young persons under 15 years of age accounting for 46.8 per cent of the total. According to the 1988 population census, 49 per cent of persons 10 years and older

consider themselves to be economically active. Women have been joining the labour force in significant numbers, the proportion rising from 13 to 21 per cent, as a result of increased awareness of the importance of women's role in society. However, this is also due to the deterioration in the country's economic situation, which has caused a significant drop in the real wages of heads of household.

11. Forty-six per cent of the population live in urban areas, 20.4 per cent of this group being concentrated in Tegucigalpa and San Pedro Sula; Tegucigalpa is the capital and San Pedro Sula the country's main industrial centre.

2. Political and administrative divisions

12. For political and administrative purposes the country is divided into 18 departments, which are subdivided into 296 municipalities and 3,735 1/ villages which are themselves divided into 27,502 hamlets - the smallest territorial divisions. The following table shows population distribution by department for 1996 and 2000.

Honduras: Population by department, 1996 and 2000

	1996	2000
1. Atlántida	304 910	338 072
2. Choluteca	368 409	403 791
3. Colon	196 025	221 808
4. Comayagua	315 676	356 488
5. Copán	276 575	304 570
6. Cortés	825 853	905 705
7. El Paraíso	321 610	354 789
8. Francisco Morazán	1 018 178	1 109 160
9. Gracias a Dios	46 963	52 897
10. Intibucá	158 288	175 316
11. Islas de la Bahía	28 448	31 311
12. La Paz	136 750	152 020
13. Lempira	223 532	246 893
14. Ocotepeque	93 849	103 836
15. Olancho	372 611	421 341
16. Santa Bárbara	347 093	381 808
17. Valle	150 107	163 783
18. Yoro	423 398	471 338
Total	5 608 275	6 195 926

Source: Population, Gender and Employment Unit, SECPLAN.

1/ In June 1996.

2. Ethnic characteristics

13. One segment of the population to which special attention is given consists of the ethnic groups, which comprise eight cultural groups (garífuna, tolupán or xicaque, misquitos, lencas, chortis, tawahkas, pech and Island Negroes), numbering 463,700 persons, i.e., approximately 8 to 10 per cent of the total population. The garífunas, who live along the country's northern coast, account for over half of this number. The Misquitos, who live in the north-eastern area, specifically the department of Gracias a Dios, number approximately 35,000. The lencas, approximately 80,000 strong, live in the departments of Lempira, Intibucá, La Paz, Comayagua, and part of Cortés, Valle and Francisco Morazán. The 4,000 pech inhabit the department of Olancho and approximately 2,000 tawahkas and chortís live in Gracias a Dios and in Copán and Ocotepeque, respectively.

14. These population groups are generally found in severely disadvantaged areas, which are characterized by limited access to social services, a shortage of road networks and a subsistence economy. For this reason it is Government policy to give priority to such groups in the context of community-oriented initiatives. It should be noted that these population groups retain their languages, and that the promotion of bilingual education is part of Government policy.

Religious and linguistic characteristics

15. Although Honduras is a predominantly Catholic country, it enjoys freedom of religion and a wide variety of religions.

16. Various languages are spoken in the country, such as English in the Islas de la Bahía and garífuna and misquito in some areas on the northern coast. The official language is Spanish.

C. Economic, social and cultural characteristics

17. The Honduran economy is continuing to experience serious structural problems associated with savings and production, which are of decisive importance in efforts to achieve sustainable economic growth.

18. The introduction of structural adjustment measures made it possible to reduce the budget deficit to 5.7 per cent of GDP in 1994, and at the end of 1995 economic activity had expanded by 3 per cent in real terms, thereby largely overcoming the main difficulties affecting the economy during 1994. This recovery took place in most production sectors as a result of the implementation of a set of measures introduced late in 1994 and early in 1995; they included tax reforms, export promotion measures, a moderate monetary and credit policy and minor reductions in the reserve ratio; nevertheless, the value of the lempira declined by 10 per cent against the dollar.

19. Inflationary pressures were strong in 1995 reflecting speculation and an increase in the cost of imported inputs and consumer end products owing to fluctuations in the lempira /dollar exchange rate. Specifically, inflation, measured in terms of the Consumer Price Index (CPI), increased by 29.5 per cent in 1995, or by 7.8 per cent more than in 1994.

20. The external debt rose from US$ 3.700 million in 1994 to US$ 3.900 million in 1995, and interest amounted to US$ 209.9 million, a figure similar to that for 1994, namely, US$ 200.1 million, which represented 68 per cent of the current accounts deficit of the balance of payments and 14.9 per cent of exports of goods and services. These figures reveal the extent to which interest payments on the external debt are inhibiting the country's economic growth.

21. With regard to production, the agriculture and stock-raising sector accounts for 27 per cent of the country's total output of goods and services, coffee and bananas being the main source of foreign currency, although significant increases have been achieved in recent years in exports of canteloupe melon, watermelon, African palm and sugar, and in the fish and shrimp sectors are showing signs of greater activity. Increases in the industrial sector have been recorded by manufactured goods, such as wood-based products and textiles.

22. It should be noted that, during the period 1990-1993, the Government, with the active participation of the private sector, began a broad-based economic adjustment programme, designed to restore the balance of payments, curb inflation, achieve credibility for financial institutions and create a sound production base to foster sustainable growth. For 1994-1995, the emphasis in economic policy remained the same with regard to correcting macroeconomic imbalances, which in 1994 was reflected in the fact that the deficit amounted to 5.7 per cent of GDP. In 1995, however, it declined by 1.7 per cent. The annual average inflation rate for 1994, 21.7 per cent, rose to 29.5 per cent in 1995.

23. Against this background, social problems such as high levels of unemployment and underemployment, an acute shortage of social services and unequal distribution of income continue to discourage the majority of the Honduran population.

24. The incidence of poverty is explained by low per capita incomes as well as their extremely inequitable distribution. Honduras is the third poorest country in Latin America.

25. Generally speaking, significant but as yet inadequate progress has been made in reducing illiteracy, which declined from 42 per cent to 32 per cent between 1974 and 1988, the estimated figure for 1993 being 29.4 per cent. The average duration of schooling for the population as a whole in 1994 was 4.2 years, and it is considered that approximately 60 per cent of the economically active population have had less than three years of instruction. Efforts made to increase educational coverage and quality, however, have been offset by high drop-out, repeat and absentee rates at all levels. Another problem is the unfair distribution of Government expenditure in the education sector, since it is concentrated on higher education.

26. The people's health level has improved steadily in the last four years. However, problems of access, coverage and quality persist, and there is a high prevalence of diarrhoeic diseases and respiratory infections.

27. The maternal mortality rate is 221 per 100,000 live births. The infant mortality rate is one of the highest in Latin America (42 per 1,000 live births), the principal causes being acute respiratory infections and diarrhoea (70 per cent). The rate of foetal mortality associated with maternal mortality is 33 per cent; every four hours a child under one year dies and over half of these deaths (neonatal and post-natal) are caused by communicable diseases, malnutrition, and avoidable environmentally-related conditions (water- and vector-borne diseases).

28. Nutritional deficiencies have a high long-term socio-economic cost for the country, primarily because of the damage they cause to the health, physical growth, mental development and learning capacity of young children. The number of low birth weight babies born in the health establishments of the Ministry of Public Health and the Institute for Social Security fluctuated between 7 and 8 per cent in the 1980s and rose to 11 per cent in 1993. The under-five malnutrition rate rose from 48.6 per cent in 1987 to 52.5 per cent in 1991. According to Ministry of Health statistics, 2.1 per cent of infant mortality cases in 1990 were due to causes associated with malnutrition, as compared with 0.9 per cent in 1980. This was largely due to the conditions of poverty afflicting a large percentage of the Honduran population.

29. The access of households to food and other consumer goods and services depends largely on prices and income levels. The Consumer Price Index (CPI) has increased by 96.6 per cent in the past five years, the greatest increase being in the food category. This has affected the cost of the basic food basket, which rose from 16.43 lempiras in 1990 to 42.95 in 1995.

30. The country is experiencing a housing deficit of some 700,000 dwelling units for 1995. Of a total of 1.1 million dwelling units, 58 per cent are in rural areas and the remaining 42 per cent in urban areas. Only one third of them can be regarded as acceptable from the standpoint of habitability; 64 per cent are overcrowded, 33 per cent do not have clean drinking water and 41 per cent lack sanitation systems.

31. The economically active population in Honduras accounts for approximately 35 per cent of the total population. In 1994 the working population numbered approximately 1,775,000, 55 per cent of whom lived in rural areas. It may be noted that 38 per cent of the working population is active in the agricultural, forestry, hunting and fishery sectors and 18 per cent in industry (including mining); the remaining 44 per cent work in the services, trade, transport and construction sectors. An average of 70,000 people join the economically active cohort each year but employment opportunities are not increasing at the same rate.

32. According to the 1988 population census, 14.3 per cent of the population is between 15 and 19 years of age and 13.7 per cent between 20 and 24 years of age; the corresponding figures are higher in rural areas. The former group is the one with the largest number of unemployed, owing to the country's low economic growth rates, which limit job opportunities. Statistics for 1995 indicate that employment problems are experienced by 36 per cent of the economically active population in rural areas and 24 per cent in urban areas. Underemployment is 34 per cent in rural areas and 17 per cent in urban areas

and unemployment 2 per cent in rural areas and 7 per cent in urban areas. The high percentage of underemployed persons is reflected in the large number of workers employed in the urban and rural informal sectors.

33. Open unemployment in the country remained below 4.2 per cent in October 1995. The major employment problem continued to be invisible and visible underemployment, which means that a large percentage of the economically active population has an income that is far below the minimum wage and works long hours. The situation is even more disturbing in the rural areas.

34. Poverty levels are influenced by whether the head of household is an employee or self-employed. The probability of being poor is greater for those in the latter category, owing to the educational requirements a worker must meet in order to get a job, which confirms the relationship between education and poverty. According to the Housing Survey data on occupational category, 76 per cent of poor households are headed by people who are self-employed.

II. GENERAL POLITICAL STRUCTURE

A. Historical background

35. The Maya culture, one of the oldest on the Latin American continent, was concentrated in the western part of the country. It apparently reached its highest demographic, architectural and artistic climax under the direction and control of a single reigning dynasty. It would seem that the area under Mayan control fluctuated over the centuries, and at one point included the Mayan centre of Quiriguá in eastern Guatemala. In 400 and 500-900 B.C., a large number of regional centres sprang up in the Sula Valley, dividing the fertile plains into rival political units. These units maintained ties with the Mayas of Belize and the Mayan lowlands to the south.

36. At the beginning of the conquest, Naco was the largest regional political centre in the north-eastern part of the country and maintained trade relations with the highland areas of Guatemala and Mexico. Naco comprised approximately 2,000 dwellings.

37. In the early sixteenth century, there was no dominant group comparable to the quiche or catchiquele "kingdoms". Heterogeneity and the absence of a dominant group would suggest that there was frequent inter-tribal fighting and that the weakness of these tribes exposed them to raids from the outside (by Aztec tribes, for example). The area was the scene of fierce conflicts between them and the Spanish conquistadors, who challenged their dominance and wealth; the latter included Cristóbal de Olid, Gil González Dávila and Francisco Hernández Córdoba.

38. In the context of indigenous uprisings in reaction to the brutality of some of the leaders of the conquest, the colonists made and broke governors and imposed the old comunero spirit in the provinces of Honduras and Nicaragua, appointing authorities who pandered to their desires and interests. One of the instruments used as a communications device was the "town council".

39. In 1539 Pedro de Montejo (the person who introduced Honduras to wheat and grapes) concluded an agreement with Pedro de Alvarado, following a conflict arbitrated by Bishop Pedraza, and agreed to go to Chiapas, and leave the governorship of Honduras to Alvarado. Nearly three centuries later, José Gregorio Tinoco de Contreras, the last Spanish governor, attempted to organize the province militarily to defend it from attacks by privateers. When independence was proclaimed on 15 September 1821, Tinoco continued to govern but had to leave office when he failed in his attempt to take over the town of Tegucigalpa, which opted to join Guatemala rather than come directly under Mexican rule as he had wished. The rivalry between the towns of Comayagua, at the time capital of the province and headquarters for the main authorities, and Tegucigalpa, which was the largest municipal area and the most prosperous in terms of mining and trade, was to continue into the first few decades of the nineteenth century. In 1880 Tegucigalpa was declared the capital of Honduras.

B. Organization of the State

40. Following the period of annexation to Mexico, Honduras became one of the five States of the Central American Federation. Pursuant to the 1825 Constitution, the territory was divided into seven departments: one in the north (Yoro), one in the south (Cholutec), two in the centre of the country (Comayagua and Tegucigalpa), two in the west (Gracias and Santa Bárbara) and one in the east (Olancho). As indicated above, the country now comprises 18 departments and 296 municipalities.

41. Unlike Guatemala, El Salvador and Costa Rica, where a middle class emerged around coffee exports, Honduras's sole source of wealth throughout the nineteenth century, namely, stock-raising, was destroyed during the civil wars, leaving the country in a State of severe constitutional, institutional and governmental instability. In addition to the three Federal Constitutions (1824, 1898 and 1921), the country has had 12 other Constitutions, namely, those of 1825, 1839, 1848, 1865, 1873, 1880, 1894, 1906, 1936, 1957, 1965 and 1982. There have been over 130 changes of government between the first head of State, José Dionisio de Herrera, and the current President of the Republic, Mr. Carlos Roberto Reina Idiáquez.

42. From 1827 through the 1980s, approximately 400 military engagements took place in the national territory, some promoted or encouraged by neighbouring Governments or banana companies established in the country. In 1876, after a period characterized by anarchy or despotism, President Marco Aurelio Soto introduced a series of liberal reforms in order to further the institutional development process that Francisco Morazán (champion of Central American union) had tried to initiate in 1829.

43. The 1894 Constitution - the most liberal constitution in Central America at the time - was promulgated during Policarpo Bonilla's term of office. Mr. Juan Manuel Gálvez, President of the Republic from 1949-1954, embarked upon the modernization of the State for the good of society. The first Agrarian Reform Law, the Labour Code and the Social Security Act were adopted during the administration of Mr. José Ramón Villeda Morales and subsequently the military junta, headed by General Oswaldo López Arellano, enacted other provisions beneficial to workers and peasants.

44. Although article 5 of the Republic's current Constitution (1982) stipulates that the Government is one of "national integration", in actual fact Governments identify themselves according to the political party in power.

45. There is also clearly a need to reduce the number of deputies and amend the procedure followed in selecting judges in order to make it independent of political factors; this criterion should also be used in the organization of the National Electoral Tribunal.

1. Structure of State bodies

46. According to articles 1, 2, 3 and 4 of the Constitution, Honduras is a sovereign State under the rule of law, constituted by the will of the people, its main features being its republican, democratic, representative and centralized nature. The Government comprises three branches: legislative, executive and judicial, which are complementary, independent and equal in rank.

(a) The executive

47. The executive is headed by the President of the Republic. The 1957 Constitution abolished the office of vice-president, who has been replaced by three presidential alternates.

48. The executive was reorganized by Legislative Decree No. 218 in 1996 and began functioning in its new form on 1 January 1997 in the context of the institutional reforms that had been introduced. There are 14 ministerial departments at the central government level: Interior and Justice; Office of the President; Foreign Affairs; Industry, Trade and Tourism; Finance; National Defence; Labour and Social Security; Health; Education; Public Works; Transport and Housing; Culture, Arts and Sports; Agriculture and Stock-Raising and Natural Resources and Environment.

(b) The legislature

49. The National Congress consists of 128 deputies and an equal number of alternates. All of them, as well as the members of the municipal councils, are elected for a term of four years on the last Sunday in November of the last year of the Government's term of office, and the new Government takes office in January of the following year.

(c) The judiciary

50. Chapter XII of the Constitution of the Republic states:

> "Article 303. The power to dispense justice emanates from the people and is administered free of charge on behalf of the State by independent magistrates and judges. The Judicial Power consists of a Supreme Court of Justice, the Courts of Appeals, and the Courts established by the Law.

"The Supreme Court of Justice shall have its seat in the Capital of the Republic, shall be composed of nine principal magistrates and seven alternates, elected by the National Congress, and shall be divided into chambers [*salas*], in accordance with the provisions of the Internal Regulations of that Court.

"Article 304. The President of the Supreme Court of Justice shall be elected by the National Congress for a term of four years.

"Article 305. The term of Magistrates of the Supreme Court of Justice shall be four years and they may be re-elected.

"The vacancies shall be filled for the remainder of the term."

C. Political parties, electoral system and armed forces

51. The main organized political party is the Liberal Party. There is no relationship in Honduras between a person's economic situation and his vote, as the majority of landowners and peasants, businessmen and workers, the educated and the uneducated vote for the traditional Liberal and National Parties. A person's vote for this or that party reflects family tradition. In recent times, however, the electorate has become less set in its ways and at times leans towards the National Party and at others towards the Liberal Party. The people have also shown a striking lack of interest in exercising their right to vote, as reflected in the high level of non-participation.

52. The last elections this century will be held on Sunday, 30 November 1997. A home voting system has been introduced for these elections, as well as separate votes for the offices of President/Alternate. Deputy and Mayor; there will be a separate ballot paper for each of these three categories.

53. Feminist organizations and ethnic groups have been calling for greater participation in policy decisions and there have also been demands that the Electoral Law should be made less rigid. Hondurans who reside abroad and military personnel on active duty are still not entitled to vote.

54. The armed forces of Honduras constitute a permanent national institution, and are essentially professional, apolitical, obedient and well-disciplined. Their purpose is to defend the territorial integrity and sovereignty of the Republic, the Constitution, the principle of free suffrage and alternation in the exercise of the office of President of the Republic. The armed forces are divided into four branches: army, air force, navy and public security force. The latter, which had been acting as a military police force, will become a civilian police force on 21 October 1998.

55. The professionalization of the army began in the 1950s under the guidance of the United States. In 1956 the armed forces acquired a political role when the dictatorship of Julio Lozano Díaz was overthrown, and the 1957 Constitution accorded them a broad measure of autonomy.

56. Two alternating trends had previously been apparent: authoritarianism, encouraged by the then Generals Oswaldo López Arellano (1963, 1972) and Gustavo Alvarez Martínez (1982-1984), and discussions in the "Supreme Council of the Armed Forces" a collegiate body consisting of senior military staff and the commanders of the country's military units. The armed forces broke with the constitutional order in 1963 and 1972 when they declared themselves to be the institution responsible for the protection of society. During the present Government's term in office they lost control of some of the institutions they had been directing: the Honduras Telecommunications Company, Merchant Marine and Police.

57. Compulsory military service has been replaced by voluntary education-oriented service.

III. LEGAL FRAMEWORK WITHIN WHICH HUMAN RIGHTS ARE PROTECTED

A. Judicial, administrative and other authorities

58. The following government institutions have jurisdiction in human rights matters:

(a) The High Commissioner for Human Rights. The Attorney-General of the Republic is subordinate to the legislature, and to which the Special Prosecutor for Human Rights is answerable;

(b) At the judicial level, the Supreme Court of Justice and the National Public Defence Department;

(c) At the executive level, the Human Rights Department of the Ministry of Foreign Affairs.

B. Remedies and system of compensation

59. The constitutional guarantees in our legislation are set out explicitly in title IV, chapters I and II, which refer to the guarantees of habeas corpus or personal appearance, amparo (enforcement of constitutional rights), action for unconstitutionality and judicial review.

60. Chapter III, entitled "Treaties", of the Constitution, states that Honduras supports the principles and practices of international law, which promote the solidarity and self-determination of peoples, non-intervention and the strengthening of universal peace and democracy, and proclaims the validity and obligatory execution of arbitral and judicial awards of an international character (art. 15).

61. Once international treaties enter into force they become part of domestic law and their provisions may be invoked by natural or legal persons in any court or before any authority of the Republic; in cases of conflict between a treaty and domestic law, the treaty shall prevail, i.e. Honduras recognizes the supremacy of international over national law.

IV. INFORMATION AND PUBLICITY

62. The International Covenant on Economic, Social and Cultural Rights has been published in the Official Gazette (La Gaceta). Under Honduran legislation no one may claim ignorance of the law once a law has been published in the Gazette. An inter-agency commission was established to prepare Honduras's report to the Committee on Economic, Social and Cultural Rights, and duly embarked upon its work. Its findings were consolidated and submitted for discussion with other non-governmental agencies and organizations to provide the comments and suggestions which have been used in this report. The report is currently being publicized on a nationwide basis.